

IN SENATE OF THE UNITED STATES.

JANUARY 7, 1846.

Submitted, and ordered to be printed.

Mr. BENTON made the following

REPORT :

[To accompany bill S. No. 23.]

*The Committee on Military Affairs, to which was referred the petition of Mrs. Mary MacRea, widow of William MacRea, late colonel of artillery in the service of the United States, report :*

That the petitioner sets out the long, faithful, and meritorious services of her deceased husband, and his death while in the service, and her own present destitute condition; and prays remuneration or relief from Congress for these extraordinary services. The committee, in looking over the papers referred to them by the order of the Senate, find that the services of Col. MacRea were (as represented) long, faithful, and meritorious, extending over a period of forty-one years, embracing the Indian wars of the North West and the late war with Great Britain, and including arduous services on the frontiers during peace, without any absence from his command by furloughs or neglect, and without having his name mentioned in the orders or reports of the army but with honor and approbation. He commenced the service in the year 1791 as a lieutenant, and served in the campaign under Major General St. Clair in the then Northwestern Territory, now State of Ohio, and was in the engagement of the 4th of November of that year, and commanded a company of fifty-seven men, forty-six of which were killed or wounded, himself being among the latter.

His next services were under the orders of Major General Wayne in the same territory, with whom he served in the year 1792 until the winter of 1796-97, and fought under the orders of that general in the action of the 20th of August, 1794, as a brigade-major, being that year a captain in the 3d sub-legion of the United States. Some time in May in the year 1796, on the death of Major General Wayne, he was appointed to perform that duty, which he continued to do until the army arrived at Detroit, and took possession of the posts on the lakes which were surrendered to the United States under Mr. Jay's treaty in the fall of 1796. During the above period, from the year 1791 to 1796, inclusive, he was in all the active operations of the army, under the orders of the above-mentioned general officers, and was never absent a day from his corps or command, filling for a considerable length of time, when a young man, and a young captain of infantry, the important office of adjutant-general to the army, under that able and distinguished officer, Major General Anthony Wayne.

A new organization of the army having taken place in the winter of 1796-'97, being then a junior captain, his company was reduced ; when he returned to the seat of government in Philadelphia, and in the spring following was appointed a captain of the artillery.

On the 31st of July, 1800, he was promoted to a majority in the 2d regiment of artillerists and engineers ; and after commanding some time at Fort Mifflin, in the Delaware, and different posts in the States of Rhode Island and Connecticut, in the spring of 1802 he received orders to proceed to the State of Tennessee and take command of the troops on the frontier of that State ; which order was executed, and the command continued, with a variety of incidental and fatiguing commands and journeys, until the summer of 1807, when he was ordered to Fort Adams, on the Mississippi, and thence to New Orleans, to take command of the troops in that city and its dependencies. There Colonel MacRea remained until the summer of 1815. Various and important duties were assigned him, viz.: that of superintending the erection of the fortifications of the river and city ; and the latter by way of the lakes, for which he received particular orders from the War Department, and unlimited power in respect to funds. In addition to other duties, a constant attention was given by him for a period of nearly four years to this object. One of the posts erected under his directions was Fort St. Philip at Plaquemines. The great exertions made, and the extreme anxiety evinced by the British military and naval commanders to effect a passage by way of the river, and their complete failure after a bombardment of nine days and nights, show of what importance Fort St. Philip was in defeating their designs on New Orleans.

Previous to the arrival of General Jackson in New Orleans, he had under his command 1,600 troops, with powers to call on the governors of the States of Louisiana and Mississippi for such reinforcements of draughted militia and volunteers as the service might require.

On the 23d of December, 1814, when Gen. Jackson moved with his disposable forces to meet the enemy, he accompanied him. Col. MacRea commanded the artillery on that occasion, as well as in the actions which subsequently took place on the 28th December, 1814, and 1st and 8th January, 1815. When the army was organized on the peace establishment, at the close of the war, Col. MacRea was ordered to the command of the 6th military department, and took command of the same in September, 1815, in which he continued until 1821.

During this period of protracted service, Col. MacRea was never absent a day on furlough from his corps or command, but during thirty years was constantly on duty, and a considerable part of the time in active and laborious service.

At the reduction of the army in 1821, when so many meritorious officers were necessarily discharged from service, and reduced to a lower rank, Col. MacRea was retained with his full rank. He was thus twice retained with full rank at the two great reductions of the army—that of 1815, and that of 1821.

Col. MacRea continued to serve for eleven years after the reduction and reorganization of the army in 1821, his health becoming greatly impaired by his long exposure on the frontiers, and in the South. During this time he was twice struck with paralysis, and in that enfeebled condition was attacked with cholera on the 3d of November, 1832, on board a steamboat on the Ohio river, died in a few hours, and his dead body was im-

mediately landed and buried on the banks of the river, on the Illinois side of that river, with all the precipitation which the alarm of his death inspired.

At his death Colonel MacRea left a widow and two daughters ; the two latter have since died. The widow alone now survives, and, as she states in her petition, and verifies by vouchers, is now in great want—having expended, since the death of her husband, in her necessary support, the little property she possessed, and being now dependant on the benevolence of friends. Under these circumstances, she prays relief from the Congress of the United States ; and the bill which has been introduced for her relief, and which has been referred to this committee, proposes to allow her the one half of the monthly pay of Col. MacRea at the time of his death—counting from the time of his death, during the period of her natural life. The justice and expediency of this relief is the question referred to this committee ; and in considering it, they have to say, that if Col. MacRea had been killed in the line of his duty, his widow would have been entitled to five years' half-pay ; and they can see no difference in the merits of the sacrifice, whether the officer was killed in the service, or wore out his life and died in the service. In each case the loss is the same to his family, and the reason in favor of a provision for them is in each case the same ; and such is the rule in the naval branch of the service. Half-pay to the widows of officers, seamen, and marines, who have died in the service, has always been granted to such widows, at first for life, and payable out of the navy pension fund ; but since the act of June 30, 1834, and subsequent acts, payable out of the treasury of the United States. By these acts the half-pay has been three times granted for a period of five years, and the last of these acts, passed March 3, 1845, is still in force. These laws introduce a new principle into the naval pension system of the United States ; they make them chargeable upon the treasury of the United States, instead of remaining, as formerly, payable out of the prize money and other items which constituted the naval pension fund. If Col. MacRea had belonged to the navy, his widow would be provided for under the act of 1834, and those subsequent to it, for continuing that act ; and now that the naval pensions of widows are payable out of the treasury, there can be no justice or propriety in withholding the same from the army branch of the service. The committee therefore report the bill without amendment, and recommend that it be passed.

immediately landed and buried on the banks of the river, on the Illinois side of that river, with all the prescription which the laws of his death required. At his death Colonel Mackay left a widow and two daughters; the two latter have since died. The widow alone now survives, and as she states in her petition and verified by vouchers, is now in great want—having expended, since the death of her husband, in her necessary support, the little property she possessed, and being now dependent on the bounty of friends. Under these circumstances she prays relief from the Congress of the United States; and the bill which has been introduced for her relief, and which has been referred to this committee, proposes to allow her the one half of the monthly pay of Col. Mackay at the time of his death—commencing from the time of his death, during the period of his natural life. The justice and expediency of this relief is the question referred to this committee; and in considering it they have to say that if Col. Mackay had been killed in the line of his duty, his widow would have been entitled to five years' half pay; and they cannot see the difference in the merits of the service, whether the officer was killed in the service or was out his life and died in the service. In each case the loss is the same to his family, and the reason in favor of a provision for them is in no way different. The rule in the naval branch of the service is, that the same rule shall apply to officers, seamen, and marines, who have died in the service, has always been granted to such widows, except for life and pay, payable out of the navy pension fund; but since the act of June 30, 1834, and subsequent acts, payable out of the treasury of the United States. By those acts the half pay has been three times granted for a period of five years, and the last of these acts, passed March 3, 1845, is still in force. These laws introduce a new principle into the naval pension system of the United States; they make them equal to upon the treasury of the United States, instead of remaining as formerly, payable out of the pension money and other items which constituted the naval pension fund. If Col. Mackay had belonged to the navy, his widow would be provided for under the act of 1831, and these subsequent acts for nonpayment that act; and now that the naval pensions of widows are payable out of the treasury, there can be no justice or propriety in withholding the same from the army branch of the service. The committee, therefore, recommend the bill without amendment, and recommend that it be passed, without delay, and without amendment, and recommend that it be passed, without delay, and without amendment.